Amendments to the Drawings:

The attached "replacement sheets" of drawings includes formalized Figs. 8-10, 11A and 11B.

These sheets replace the originally filed sheets including Figs. 8-10, 11A and 11B.

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action and amended as necessary to more clearly and particularly describe the subject matter which Applicant regards as the invention.

Claims 1-4 have been amended. Claim 5 has been canceled. Replacement drawing sheets 8/10, 9/10 and 10/10 have been provided.

The Examiner has required that Figures 8 to10, 11A, and 11B be designated by a legend, such as "Prior Art". Applicant has amended the respective figures accordingly.

The Examiner objected to wording used in claims 1 and 3 and has required appropriate correction. Claims 1 and 3 are currently amended to more clearly describe the subject matter which Applicant regards as the invention. Also, claims 2 and 4 are currently amended to more clearly describe the subject matter which Applicant regards as the invention.

Claim 5 stands objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 5 has been canceled by this amendment.

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Abolfathi (U.S. patent application publication number 2003/0207227) in view of Oikawa (U.S. patent number 5,963,211). Amended claim 1 recites in part:

> "a server manager for managing data copying via a network,...and the server manager makes a decision to switch data processing for the plurality of image display units so that a part of the data processing performed by an operative

one of the image data server computers will be replaced by data processing performed by another suspended one including a state of low load of the image data server computers."

Oikawa fails to teach the above limitations. Oikawa teaches: (1) estimating a quantity of calculations necessary for the 3D image creation process; (2) subdividing the generation process into sub-processes and thereby substantially equalizing the quantities of calculations respectively allocated to the plural processors; and (3) concurrently executing the sub-processes by the plural processors. See col. 3, lines 10-21. Oikawa does not teach or suggest a server manager for managing data copying via a network. Furthermore, the concurrent execution of sub-processes by plural processors taught by Oikawa does not teach or suggest replacing data processing performed by an *operative image data server computer* with data processing performed by *another image data server computer*, as required by claim 1. Oikawa does not teach or suggest the replacement of any data processing performed by one image data server computer with data processing performed by another. Furthermore, Oikawa fails to teach or suggest replacing data processing performed by an *operative* image data server computer with data processing performed by another *suspended one including a state of low load* of the image data server computers. Oikawa teaches subdividing processing among the plural processors and concurrently executing the processing. This does not teach or suggest replacing data processing performed by an operative image data server computer with data processing performed by another suspended one including a state of low load of the image data server computers. Oikawa does not distinguish one of the plurality of processors it teaches from another. Like Oikawa, Abolfathi also fails to teach the claimed *server manager*. For at least these reasons, claim 1 is allowable over the cited combination of

references.

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Abolfathi in view of Oikawa. Claim 5 has been canceled by this amendment.

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Albofathi in view of Oikawa in further view of Alford, Jr. (U.S. patent application publication number 2003/0158884). Applicant respectfully traverses the rejection. Claim 2 depends from claim 1. For at least the reasons discussed above with respect to claim 1, claim 2 is allowable over the cited combination of references. Amended claim 2 recites in part, "additional information is copied from the operative image data server computer to the destination image data server computer." The Examiner asserts that Oikawa teaches the claimed "additional information" by teaching rendering parameters at col. 3, line 20. The rendering parameters of Oikawa are inputted to a 3D image generating apparatus 4 from an input device 6 (4:60-65). A quantity of calculations is estimated based on the rendering parameters (6:11-18). A 3D image generation process is subdivided into sub-processes that substantially equalizes the quantity of calculations allocated to plural processors (3:11-18). The sub-processes are executed concurrently by the plural processors (3:18-19). Oikawa fails to teach or suggest "additional information is copied from the operative image data server computer to the destination image data server computer." In Oikawa, the rendering parameters are inputted into the 3D image generating apparatus 4 from the input device 6. There is no teaching or suggestion of *copying* rendering parameters from an *operative image data server computer* to a *destination image data server computer*. Accordingly, claim 2 is allowable over the cited combination of references.

Amended claim 2 further recites in part:

"if the same volume data as the volume data handled by the operative image data server computer are not present in the suspended image data server computer as a destination of the decided switching, the server manager performs a control function wherein the volume data from the volume data storage unit is transmitted to the destination image data server computer..."

Alford fails to teach or suggest operative and suspended *image data server computers* as required by claim 2. Alford teaches automatically assigning or re-assigning respective unallocated or allocated but unused resources to an overloaded partition. See page 4, ¶ 0043. The Examiner states that "the act of locating unused resources would require checking to make sure the data being processing [*sic*] is not present in those resources." However, the Examiner's assertion is incorrect. Resource assignment can occur regardless of whether data being processed is present in those resources and should the data being processed be present in those resources, it could be simply overwritten. Alford does not teach or suggest a server manager that performs a control function wherein volume data from a volume data storage unit is transmitted to a destination image data server computer if the same volume data as the volume data handled by the operative image data server computer are not present in the destination image data server computer as required by claim 2. For the reasons discussed above, the cited combination of references fails to teach or suggest all of the limitations of claim 2. Accordingly, claim 2 is allowable over the cited combination of references.

Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Albofathi in view of Oikawa in further view of Alford. Claim 3 depends from claim 1. For at least the reasons discussed above with respect to claim 1, claim 3 is allowable over the cited combination of references. Amended claim 3 recites in part, "additional information is

copied from the first image data server computer to the second image data server computer." For the reasons discussed above with respect to claim 2, Oikawa's teaching of rendering parameters supplied from an input device 6 fails to teach or suggest the claimed additional information copied from a first image data server computer to a second image data server computer. Accordingly, claim 3 is allowable over the cited combination of references.

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Albofathi in view of Oikawa in further view of Alford. Claim 4 depends from claim 1. For at least the reasons discussed above with respect to claim 1, claim 4 is allowable over the cited combination of references. Amended claim 4 recites in part, "additional information is copied from an image data server computer to be suspended to another image data server computer." For the reasons discussed above with respect to claim 2, Oikawa's teaching of rendering parameters supplied from an input device 6 fails to teach or suggest the claimed additional information copied from an image data server computer to be suspended to another image data server computer. Accordingly, claim 4 is allowable over the cited combination of references.

Amended claim 4 further recites in part, "the server manager inquires of the memory whether the same volume data are already sent or not." The cited combination of references fails to teach or suggest this limitation. The Examiner asserts that "it would have been obvious to one of ordinary skill in the art to check whether volume data has already been sent in order to reduce transmission time associated with large sized models," based on Abolfathi's teaching of data compression. See page 5, ¶ 0071. When, as in this case, the references do not expressly or impliedly suggest the claimed invention, the Examiner must present a convincing line of reasoning as to why the skilled artisan would have found the

claimed invention to have been obvious in light of the teachings of the references. See MPEP § 2142. Abolfathi's teaching of data compression does not at all suggest inquiring of a memory whether a same volume data are already sent or not, as required by claim 4. Compressing data and inquiring whether same data are already sent are two completely different techniques for reducing data transmission time. In this case, there is nothing in the prior art of record that indicates that one of ordinary skill in the art, at the time the invention was made, would have been motivated to modify the teaching of Abolfathi as suggested by the Examiner. Therefore, a *prima facie* case of obviousness sufficient to support a rejection under 35 U.S.C. 103(a) has not been made. Accordingly, the rejection of claim 4 should be withdrawn.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36609.

Respectfully submitted,
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